

Circuit Court for Anne Arundel County
Case No.: C-02-CR-22-001623

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 1146

September Term, 2024

SHAUNESI Y. DEBERRY

v.

STATE OF MARYLAND

Nazarian,
Reed,
Harrell, Glenn T., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: November 4, 2024

*This is a per curiam opinion. Consistent with Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

A jury in the Circuit Court for Anne Arundel County convicted Shaunesi Y. DeBerry, appellant, of second-degree assault. The court later sentenced her to three years’ incarceration, all but time served suspended, followed by three years’ probation. This Court then affirmed the conviction and sentence on direct appeal. *DeBerry v. State*, Nos. 114, 774, & 1526, Sept. Term, 2023 (filed April 4, 2024) (*per curiam*).

DeBerry has since filed dozens of motions in this criminal case, which have been followed by dozens of noted appeals to this Court. This appeal covers two notices of appeal filed on August 9 and 27, 2024, from the following orders:

- The denial of a Motion to Terminate Probation filed under Maryland Rule 4-346(b); and
- The denial of a Motion for Revision on True Copy of Bench Warrant.

The first order is not appealable. When “petitions may be filed repeatedly and the denial of a single petition does not preclude [a petitioner] from filing another[,]” the decision is not final for appeal purposes. *Fuller v. State*, 397 Md. 372, 394 (2007); *cf. Hoile v. State*, 404 Md. 591, 617–18 (2008) (explaining that the denial of a motion to modify a sentence that does not allege an error of law, but rather is addressed to the discretion of the court, is not subject to appeal). Rule 4-346(b) does not limit a probationer’s right to seek modification to a single request. So the denial of a Rule 4-346(b) motion is not an appealable judgment.

Nor is the second order appealable. DeBerry’s second motion asked the circuit court to recall a bench warrant and reissue one “that officers outside of Anne Arundel County can enforce[.]” An order denying a motion to quash an arrest warrant is not appealable.

Nnoli v. Nnoli, 389 Md. 315, 324 (2005). So, under Maryland Rule 8-602(b)(1), we dismiss this appeal.

**APPEAL DISMISSED. COSTS TO BE
PAID BY APPELLANT.**